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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,654	08/13/2001	Luu Tran	SUN-P6090	9572

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EXAMINER

TRAN, NGHI V

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/929,654

Applicant(s)

TRAN ET AL.

Examiner

Nghi V. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 10-14, and 16-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Fishman et al., U.S. Patent No. 6,871,236 (hereinafter Fishman).

3. With respect to claims 1, 10, 13, and 16, Fishman teaches a wireless server system [see abstract and fig.2 i.e. mobile gateway] comprising:

- an application content selection module for providing wireless applications content parameters pertinent to a type of wireless client [figs.2-3 and col.3, ln.36 - col.4, ln.60]; and
- a plurality of application content provider service, in response to receiving a particular client type associated with a particular wireless client for dynamically presenting authorized content in a format suitable for display of content on said wireless client based on said particular client type [col.8, ln.9 - col.9, ln.10], wherein said plurality of applications content provider service is

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within the wireless server [col.3, Ins.60-66], and wherein said plurality of applications content provider service is also for formatting selected content to said particular wireless client for presentation thereto [col.9, Ins.11-59].

4. With respect to claims 2, 11, 14 and 24, Fishman further teaches an application content available module couple to said content selection module for determining whether content selected by said particular wireless client is available to the wireless server system for delivery to said particular wireless client [fig.2; col.8, ln.9 - col.9, ln.59; and col.11, ln.16 - col.12, ln.14].

5. With respect to claims 12, 17, and 22-23, Fishman further teaches the content provider module includes a plurality of content provider logic for formatting content specific to a wireless client type [fig.2 and col.8, ln.9 - col.9, ln.59].

6. With respect to claim 18, Fishman further teaches said client content provider further comprises content presentation service for formatting and presenting content suitable for display in a client ware manner [see abstract and fig.2].

7. With respect to claim 20, Fishman further teaches said user interface includes a wireless markup language interface [274].

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8. With respect to claim 21, Fishman further teaches said user interface further includes a wireless handheld markup language [278].

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 3-9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fishman as applied to claims 1 and 10 above, and further in view of Jamtgaard et al., U.S. Patent No. 6,430,624 (hereinafter Jamtgaard).

11. With respect to claims 3 and 15, Fishman does not explicitly show an automatic client detection service for automatically detecting and providing client type information of said particular wireless client.

In a wireless server, Jamtgaard discloses an automatic client detection service for automatically detecting and providing client type information of said particular wireless client [see abstract].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Fishman in view of Jamtgaard by automatically detecting and providing client type information of said particular wireless

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client because this feature is allow to customize the presentation of the web pages to wide variety of information appliances automatically [Jamtgaard, col.2, Ins.31-33]. It is for this reason that one of ordinary skill in the art at the time of the invention would have been motivated to modify Fishman in view of Jamtgaard in order to permit content to be input into the system in a variety of different formatting languages [Jamtgaard, col.2, Ins.48-50].

12. With respect to claim 4, Fishman further teaches said particular client provides a service request to determine the type of content to be delivered to said particular client [col.9, Ins.11-59 and fig.2].

13. With respect to claim 5, Fishman further teaches said service request includes header information [i.e. identifier], which identifies the class type [i.e. transforms A, B, C, and D] of said particular client [fig.2 and col.9, Ins.11-59].

14. With respect to claim 6, Fishman further teaches said content is provided in response to said particular client if said content is authorized for delivery to said particular client and available to the server system [col.8, ln.52 - col.9, ln.59].

15. With respect to claim 7, Fishman further teaches said applications content provider module formats content specific to client type information provided by said particular client [fig.2 and see abstract].

16. With respect to claim 8, Fishman further teaches said particular client is a hand-held device [278 i.e. PDA].

17. With respect to claim 9, Fishman further teaches said particular client is a wireless phone [274 i.e. cell phone].

Response to Arguments

18. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi V. Tran whose telephone number is (571) 272-4067. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi V Tran
Patent Examiner
Art Unit 2151

NT


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER